



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

936 WRIT PETITION NO. 5708 OF 2025

ARUN SAHEBRAO LOMATE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. Manoj U. Shelke, Advocate for the Petitioners

Mr. A. R. Kale, AGP for Respondent Nos. 1 to 4.

....

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 10.09.2025

PER COURT :-

1. Heard learned counsel for the Petitioners and the learned AGP for the Respondents.

2. The grievance of the Petitioners is that although possession of their lands was taken as far back on 30.09.1981 and Section 4 notification was issued on 07.12.2012, which ultimately culminated in a land acquisition award, the Petitioners were not paid rental compensation as per the scheme of the respondent – State.

3. The learned counsel for the Petitioners specifically invited attention of this Court to page 40 of the Writ Petition, which records the names of the land owners whose lands were

acquired by the State by the said notification issued under Section 4 of the Land Acquisition Act, 1894. We find that the name of one of the land owners recorded therein is Saroj Jagdishchandra Jaju. The said person had filed Writ Petition No.2523 of 2025 before this Court, raising grievance regarding payment of rental compensation. The said Writ Petition was disposed of by order dated 26.02.2025, directing the Respondent No.2 therein to take appropriate decision on the application submitted by the Petitioner therein within a period of eight weeks. Pursuant thereto, on 13.06.2025, the Respondent No.3 Deputy Collector (Special Land Acquisition Officer) herein, passed an order in favour of the said Saroj Jagdishchandra Jaju, directing that rental compensation be paid from the date of taking possession of land till issuance of the notification under Section 4 of the said Act within a period of three months from the date of the said order.

4. We find substance in the contention raised on behalf of the Petitioners in this Petition that since they are also covered under the very same notification issued under Section 4 of the said Act and possession of their lands was also taken on 30 09.1981, they are entitled to rental compensation in the same manner as being given to the said Saroj Jagdishchandra Jaju.

5. The learned AGP would not dispute the fact that the said Saroj Jagdishchandra Jaju, in whose favour Respondent No.3 has passed the order dated 13.06.2025, is identically situated to the Petitioners herein.

6. In view of the above, the Writ Petition is allowed and the Respondents are directed to calculate the rental compensation payable to the Petitioners herein for the period between the date when possession of their lands was taken and the issuance of the notification under Section 4 of the said Act and pay the same within three months from today, as has been done in the case of identically situated land owner Saroj Jagdishchandra Jaju, in terms of order dated 13.06.2025, issued by Respondent No.3.

7. The Writ Petition is disposed of. Pending applications, if any, also stand disposed of.

[Y. G. KHOBRAGADE, J.]

[MANISH PITALE, J.]

SMS